

LAW OFFICES OF
FULLER, FULLER & ASSOCIATES

SUITE 502
12000 BISCAYNE BOULEVARD
NORTH MIAMI, FLORIDA 33181

MAIN (305) 891-5199
FACSIMILE (305) 893-9505

May 18, 2021

Via CM/ECF

The Honorable Analisa Torres
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 100071312

Re: *Helen Swartz v. 93 Bowery Holdings LLC* Case No. 1:21-cv-04068-AT

Your Honor:

A telephonic Initial Pretrial Conference has been scheduled for July 7, 2021, at 10 a.m.

Although Paragraph 7 of the Order setting the Conference indicates that the Court requires a pre motion conference before a motion is filed, the undersigned counsel for Plaintiff is unable to comply with this part of the Order as service has not yet been perfected. Accordingly, a 45-day adjournment of the Initial Pretrial Conference is respectfully requested for the following reasons:

It is the Plaintiff's belief that an adjournment will not impede the progress of this case as is the practice of the undersigned to make every effort to move a case along once an appearance has been entered by defense counsel. This includes serving Rule 26(a)(1) and (2) Disclosures immediately, serving Interrogatories, Request for Production and Request for Admissions once a conference has been set, and attempting to negotiate a settlement in the interests of conserving judicial resources and saving attorney time and expense. Indeed, my cases almost invariably settle before proceeding to trial.

In addition, I will be on vacation during the month of July and have filed a Notice of Unavailability via ECF {DE 5}. While it would be possible to attend a telephonic meeting, I prefer to devote 100% of my undistracted attention to the proceedings.

GRANTED in part, DENIED in part. The initial pretrial conference scheduled for July 7, 2021, is ADJOURNED to **July 27, 2021, at 10:20 a.m.** By **July 20, 2021**, the parties shall file their joint letter and proposed case management plan.

SO ORDERED.

Dated: May 20, 2021
New York, New York



ANALISA TORRES
United States District Judge